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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 DAVID A. LAFRAIN,

12 Defendant.

2:17-CR-17-CR-109-JCM-CW/H

Preliminary Order of Forfeiture

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14 This Court finds that defendant David A. LaFrain pled guilty to Count One of a One-
15 Count Criminal Information charging him with Conspiracy to Commit Mail Fraud and Wire
16 Fraud in violation of Title 18, United States Code, Sections 1341, 1343, and 1349. Criminal
17 Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

18 This Court finds defendant David A. LaFrain agreed to the imposition of the in personam
19 criminal forfeiture money judgment of \$830,885 set forth in the Plea Agreement and the
20 Forfeiture Allegations of the Criminal Information, not to be held jointly and severally liable
21 with any codefendants and the collected money judgment amount between all codefendants is
22 not to exceed \$3,300,000. Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea
23 Agreement, ECF No. __.

24 The in personam criminal forfeiture money judgment is (1) any property, real or personal,
25 which constitutes or is derived from proceeds traceable to violations of Title 18, United States
26 Code, Sections 1341 and 1343, specified unlawful activities as defined in Title 18, United States
Code, Section 1956(c)(7)(A) and 1961(1)(B), or Title 18, United States Code, Section 1349,

1 conspiracy to commit such offenses and (2) any real or personal property constituting, derived
2 from, or traceable to the gross proceeds obtained directly or indirectly as a result of violations of
3 Title 18, United States Code, Sections 1341 and 1343, or of Title 18, United States Code, Section
4 1349, conspiracy to commit such offenses, and is subject to forfeiture pursuant to Title 18,
5 United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c);
6 Title 18, United States Code, Section 982(a)(8)(B); and Title 21, United States Code, Section
7 853(p).

8 This Court finds that David A. LaFrain shall pay an in personam criminal forfeiture
9 money judgment of \$830,885 to the United States of America, pursuant to Fed. R. Crim. P.
10 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) with Title 28, United
11 States Code, Section 2461(c); Title 18, United States Code, Section 982(a)(8)(B); and Title 21,
12 United States Code, Section 853(p).

13 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
14 United States recover from David A. LaFrain an in personam criminal forfeiture money
15 judgment of \$830,885.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
17 of this Order to all counsel of record and three certified copies to the United States Attorney's
18 Office, Attention Asset Forfeiture Unit.

19 DATED this 23rd day of Aug., 2017.

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22 UNITED STATES DISTRICT JUDGE
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